

REMARKS:

The Examiner's comments and the references cited in the outstanding Office Action have been carefully considered. Responsive thereto, the application has been amended to more particularly point out and distinctly claim what Applicant regards as his invention.

Applicant's provisional election is affirmed hereby.

The Examiner indicated that the information disclosure statement filed 6/23/98 failed to comply with 37 CFR 1.98(a)(1). The information disclosure statement filed on 6/23/98 included a listing of 53 patents and provided the name of the patentee or inventor, the patent number and the issue date for each of the patents listed and was in compliance with 37 CFR § 1.98.

Applicant does note that a Form PTO 1449 was not provided with the information disclosure statement filed on 6/23/98. However, on August 26, 1998, before the mailing date of a first Office action on the merits, Applicant filed a Supplemental Information Disclosure Statement listing two additional patents not cited on the original Information Disclosure Statement along with a Form PTO 1449 listing all of the patents cited in the original Information Disclosure Statement and the two patents cited in the Supplemental Information Disclosure Statement for a total of 55 patents.

Enclosed please find a copy of the form PTO 1449 provided by the Examiner with the first office action in which the Examiner has placed his initials next to each of the 55 listed references indicating those references have been considered by the Examiner. Therefore, for the record, Applicant notes that the references cited by the Applicant in the information disclosure statement filed on 6/23/98 have been considered by the Examiner.

A Substitute Oath or Declaration (unsigned) is submitted herewith, and will be supplemented with a signed Oath or Declaration when it is received back from the inventor.

The grammatical text on line 13 of the Abstract of the Disclosure, which comprises a path identification for the document, has been deleted. The specification has also been amended on page 6 to correct a misidentification of "ether" with -ester-. No new matter has been added.

Applicant sincerely appreciates the Examiner's indication that Claims 2, 3, 12-16, 21 and 22 are objected to. Accordingly, Claims 2, 12, 14-16 and 21 have been rewritten as new, independent Claims 33-38 respectively. The new, independent claims include the limitations of the base and any intervening claims.


The only other independent claim in the application is Claim 1. Reconsideration of the rejection under Leclerc '166 is respectfully requested. Leclerc does not disclose the fluid differentiating means as called for in the combination of Claim 1.

Accordingly, the application is in condition for allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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I hereby certify that this Amendment for application Serial No. 09/019,419, filed 2/6/98 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: AMENDMENT - FEE, Assistant Commissioner for Patents, Washington, D.C. 20231 on June 23, 1999.

DAVID S. ZAMIEROWSKI

(Applicant)

By 

June 23, 1999

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(Date of Signature)

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